

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

LLOYD HENRY PHILLIPS	:	DOCKET NO. 2:05-CV-926 Section P
VS.	:	JUDGE MINALDI
GLOBAL EXPERTISE IN OUTSOURCING, ET AL.	:	MAGISTRATE JUDGE WILSON

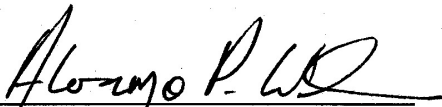
ORDER

Currently before the court is a "Motion for Default Judgment" [doc. 49] filed by *pro se* plaintiff, Lloyd Henry Phillips. By this motion, Plaintiff seeks to have the court enter a default judgment against defendant Chris Wharton. In support of this motion, Plaintiff states that he has provided the United States Marshal Service (USMS) with completed summons documents and the fee for the USMS to effect service of process on the defendants and that the defendant has failed to answer or otherwise defend this matter.

A review of the docket sheet and the exhibits provided by the plaintiff indicates that although the plaintiff has apparently provided service documents and the fee to the USMS, the USMS has not yet effected service of process on the defendant. Because the defendant has not been served with process, there is no present need for him to file an answer or otherwise make an appearance in this case. Accordingly, a default judgment would be inappropriate at this time.

Therefore, it is ORDERED that the motion for default judgment be and it is hereby DENIED.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, October 31, 2006.


ALONZO P. WILSON
UNITED STATES MAGISTRATE JUDGE